

APPEAL NO. 021920
FILED SEPTEMBER 12, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 20, 2002. The hearing officer resolved the disputed issues by determining that the compensable injury sustained by the appellant (claimant) on _____, includes a lumbar spine sprain, and that he did not have disability from November 29, 2001, through March 7, 2002. On appeal, the claimant contends that the disability determination is against the great weight and preponderance of the evidence. The respondent (carrier) urges affirmance.

DECISION

We affirm the hearing officer's decision.

The hearing officer's Decision and Order contains a summary of the evidence. The hearing officer did not err in determining that as a result of the _____, compensable injury, the claimant did not have disability from November 29, 2001, through March 7, 2002. Whether the claimant had disability was a factual question for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **MID-CENTURY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

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Philip F. O'Neill
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Margaret L. Turner
Appeals Judge